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OFFICE OF PETITIONS

In re Application of :
Long et al. :
Application No. 10/774,329 : DECISION DISMISSING PETITION
Filed: February 5, 2004 :
Attorney Docket No. FRIEL-104 :

This is a decision on the petition under 37 CFR 1.182, filed May 24, 2004, requesting that the above-identified application be accorded a filing date of February 5, 2004, with Figures 15 and 16 described in the specification as part of the original disclosure.

On February 5, 2004, applicants filed the above-identified application. On May 7, 2004, the Office mailed a Notice of Omitted Item(s) in a Nonprovisional Application, stating that the application had been accorded a filing date of February 5, 2004, and advising applicants that Figures 15 and 16 appeared to have been omitted.

In response, on May 24, 2004, applicants submitted the present petition, a postcard receipt acknowledging receipt of 6 sheets of drawings on February 5, 2004, and an authorization to charge the Deposit Account for the petition fee. Applicants stated that Figures 15 and 16 were present on filing on the sixth sheet of drawings.

Upon review of the record, one sheet of drawings containing Figures 15 and 16, deposited on February 5, 2004, has not been located among the application papers. However, the evidence is convincing that the application papers deposited on February 5, 2004, included 6 sheets of drawings, one sheet of which was subsequently misplaced in the United States Patent and Trademark Office. Unfortunately, the present petition must be dismissed because applicants failed to submit the one sheet of drawings containing Figures 15 and 16.

Accordingly, the petition is dismissed without prejudice. Any renewed petition under 37 CFR 1.182 must be filed within TWO MONTHS of the date of this decision and be accompanied by a copy of the one sheet of drawings containing Figures 15 and 16. This period is not extendable. See 37 CFR 1.181(f).

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
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Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-5589.

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